

INSTRUCTION NO. ____

Your verdict must be for the plaintiff and against defendant Damon Berti for violating Plaintiff Jo Richardson's Constitutional rights by having sexual contact with her by way of oral sex and vaginal intercourse without her consent if all the following elements have been proved:

First, the defendant Damon Berti had sexual contact with the plaintiff by way of oral sex and vaginal intercourse, and

Second, the defendant Damon Berti was acting under color of law, and

Third, the defendant Damon Berti's conduct deprived plaintiff Jo Richardson of her right to personal security and bodily integrity as protected by the Fourteenth Amendment of the United States Constitution, and

Fourth, as a direct result, the plaintiff was injured.

If any of the above elements has not been proved, then your verdict must be for the defendant.

Eighth Circuit Model Civil Jury Instruction 4.41
Excessive Use of Force – Pretrial Detainees – Fifth and Fourteenth Amendments
Modified
Section 1983
Fourteenth Amendment
Submitted by Plaintiff